

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

11

DECISION

**TOPIC Notice of Intended Action--Chapter 40, Boating Speed and Distance
Zoning - Catfish Creek, Mines of Spain Recreation Area**

The Commission's approval is requested for publication of a Notice of Intended Action to amend Chapter 40 "Boating Speed and Distance Zoning." This amendment establishes a no-wake zone on Catfish Creek by placement of regulatory buoys beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek.

Catfish Creek, which runs through Mines of Spain State Recreation Area, continues to increase in popularity for "quiet water activities" such as canoeing, kayaking, water-based eco-tours and wildlife watching. Watercraft entering the area at a great speed creates wake problems for these boaters/visitors.

Ken Herring, Administrator
Conservation and Recreation Division
April 10, 2008

Attachment: NOIA Chapter 40: Boating Speed and Distance Zoning - Catfish Creek

NATURAL RESOURCES COMMISSION[571]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

This amendment establishes a no-wake zone on Catfish Creek by placement of regulatory buoys beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek. Catfish Creek, which runs through Mines of Spain State Recreation Area, continues to increase in popularity for "quiet water activities" such as canoeing, kayaking, water-based eco-tours and wildlife watching. Watercraft entering the area at a great speed creates wake problems for these boaters/visitors.

Any person may make written comments on this proposed rule amendment on or before May 27, 2008. Such comments and written material should be directed to the State Parks Bureau; Iowa Department of Natural Resources; Wallace State Office Building; 502 East 9th Street; Des Moines, Iowa 50319-0034. Persons who wish to convey their comments orally should contact Sherry Arntzen with the State Parks Bureau at (515)242-6233.

Two public hearings will be held on May 27, 2008, at which time persons may present their views either orally or in writing. The first hearing will begin at 10:30 a.m. in the Fourth Floor West Conference Room at the Wallace State Office Building in Des Moines. The second hearing will be held from 3 p.m. to 7 p.m. at the EB Lyons Nature Center at Mines of Spain State Recreation Area in Dubuque. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who attend the public hearing and have special needs such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement section 456A.25 of the Code of Iowa.

The following amendment is proposed.

Amend 571—Chapter 40 by adopting the following new rule:

571--40.57(462A) Zoning of Catfish Creek, Mines of Spain State Recreation Area, Dubuque County.

All vessels shall be operated at no-wake speed within the area beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek and designated by uniform marker buoys approved by the natural resource commission.

Date

Richard A. Leopold, Director